

REMARKS

This application has been reviewed in light of the Office Action dated July 17, 2007. Claims 1, 4, and 25-30 are presented for examination, of which Claims 1, 25, 27, and 29 are in independent form. Claims 2, 3, and 5-24 have been cancelled, without prejudice or disclaimer of the subject matter presented therein, and new Claims 25-30 have been added to provide Applicants with a more complete scope of protection. Claims 1 and 4 have been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

The Office Action objected to Claims 2-5, 10, and 12 because recitations of “interframe-encoded frames” appear to be “intraframe-encoded frames.” Cancellation of Claims 2, 3, 5, 10, and 12 renders the objections thereto moot. Claim 4 has been amended in accordance with the Examiner’s suggestion.

The Office Action states that Claims 1-5 and 7-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,774,624 (Enari); and that Claim 6 is rejected under § 103(a) as being unpatentable over Enari, in view of U.S. Patent No. 6,556,627 (Kitamura et al.). Cancellation of Claims 2, 3, and 5-24 renders their rejections moot. Applicants submit that independent Claim 1, together with dependent Claim 4, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is directed to an image pickup apparatus arranged to: generate a picture group including both intraframe-encoded pictures and interframe-encoded pictures, transmit an encoded image signal of a plurality of picture groups to an external apparatus, and control generation and recording of the encoded image signal in accordance with an instruction to start a recording operation.

A notable feature of Claim 1 is that an instruction to start a recording operation is issued during transmission of the encoded image signal, so as to start to record the encoded image signal from a frame corresponding to the instruction to start the recording operation. The instruction to start the recording operation changes a number of intraframe-encoded pictures included in one picture group without changing a number of frames included in a picture group, when the instruction to start the recording operation is issued, so that a number of intraframe-encoded pictures included in a picture group generated after issuance the instruction to start the recording operation is smaller than a number of intraframe-encoded pictures included in a picture group generated before issuance of the instruction to start the recording operation. By virtue of this feature, the claimed image pickup apparatus advantageously avoids transmitting an encoded image signal of a distorted picture image to an external apparatus, and also can attain a lower moving picture recording rate.

Enari relates to a video signal recording apparatus capable of compressing the amount of information of a video signal containing a plurality of pictures that are correlated to one another. Enari teaches a recording technique in which all frames are intraframe-encoded in a time period before a start recording instruction is provided (for example, see col. 3, lines 45-58). Once the start recording instruction is provided, the inputted frames immediately after the start recording instruction are interframe-encoded.

Nothing has been found in Enari that is believed to teach or suggest generating an encoded image signal on a unit basis of a picture group, which includes a predetermined number of frames, in a time period before a start recording instruction is provided. In addition, Enari is silent on transmitting intraframe-encoded pictures generated throughout a time period that

includes issuance of the start recording instruction to an external apparatus. Therefore, Enari does not disclose or suggest starting to record an encoded image signal in response to a start recording instruction issued during transmission of the encoded image signal. That is, Enari does not disclose or suggest the claimed control means, which functions together with the encoding means, the recording means, and the transmission means, as recited in Claim 1. Accordingly, Applicant submits that Claim 1 is not anticipated by Enari, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 102(b).

New independent Claim 25 includes a feature similar to that discussed above, in which control means are provided for controlling encoding means and recording means in accordance with an instruction to start a recording operation, issued during transmission of an encoded image signal by the transmission means, so as to start to record the encoded image signal from a frame thereof corresponding to the instruction to start the recording operation, and to change a rate of intraframe-encoded pictures included in one picture group without changing a rate of frames included in one picture group when the instruction to start the recording operation is issued, so that a rate of intraframe-encoded pictures included in a picture group generated after issuance of the instruction to start the recording operation is lower than a rate of intraframe-encoded pictures included in a picture group generated before issuance of the instruction to start the recording operation. Therefore, Claim 25 is respectfully submitted to be patentable over Enari.

New independent Claims 27 and 29 are method claims that correspond to independent Claims 1 and 25, respectively. Therefore, Claims 27 and 29 also are believed to be patentable for at least the reasons discussed above.

The other claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

CONCLUSION

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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